

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Martin Beer *et al.*

Serial No.: 10/526,354

Filed: January 17, 2006

For: NON-HUMAN HERPESVIRUSES AS
VECTORS

Group Art Unit: 1648
Examiner: Mosher, Mary
Atty. Dkt. No.: DEBE:049US
Confirmation No. 8965

CERTIFICATE OF ELECTRONIC TRANSMISSION
37 C.F.R. § 1.8

I hereby certify that this correspondence is being
electronically filed with the United States Patent and
Trademark Office via EFS-Web on the date below:

October 18, 2007
Date

Stephen L. Highlander

RESPONSE TO RESTRICTION REQUIREMENT DATED AUGUST 23, 2007

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

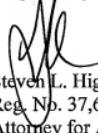
Sir:

This paper is submitted in response to the Restriction Requirement dated August 23, 2007 for which the date for response is October 23, 2007, in view of the Petition for Extension of Time and fee filed concurrently herewith. No additional fees are believed due in connection with this paper. However, should any additional fees become due, please consider this paragraph a request and authorization to withdraw the appropriate fee under 37 C.F.R. §§ 1.16 to 1.21 from Fulbright & Jaworski L.L.P. Account No.: 50-1212/DEBE:049US.

species election, Applicants elect the Herpesvirus species. Claims 9 and 13 read on the elected species and are generic.

The Examiner is invited to contact the undersigned attorney at (512) 536-3184 with any questions, comments or suggestions relating to the referenced patent application.

Respectfully submitted,



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Date: October 18, 2007